

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

ROBERT SMITHBURG, THOMAS
LINDSAY, and ROBIN GUERTIN,
individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

APPLE VALLEY MEDICAL
CLINIC, LTD., ALLINA HEALTH
SYSTEM, SANDHILLS MEDICAL
FOUNDATION, INC., and
NETGAIN TECHNOLOGY, LLC,

Defendants.

**NOTICE OF VOLUNTARY
DISMISSAL WITHOUT
PREJUDICE AS TO
DEFENDANTS APPLE
VALLEY MEDICAL CLINIC,
LTD., ALLINA HEALTH
SYSTEM, AND SANDHILLS
MEDICAL FOUNDATION, INC.**

Pursuant to and in accordance with Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiffs Robert Smithburg, Thomas Lindsay, and Robin Guertin hereby voluntarily dismiss their claims against Defendants Apple Valley Medical Clinic, Ltd., Allina Health System, and Sandhills Medical Foundation, Inc., without prejudice. Nothing in this dismissal is, or shall be construed as, a dismissal of Plaintiffs' claims or the claims against Defendant Netgain Technology, LLC.

Dated: July 28, 2021

/s/ Raina Borrelli

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